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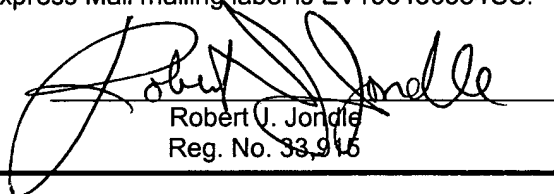
Application No. 09/782,255  
Amendment dated September 27, 2004  
Reply to Final Office Action dated July 27, 2004

Page 1

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/782,255
	<i>Filing Date</i>	February 14, 2001
	<i>First Named Inventor</i>	Bruce Marvin HELD
	<i>Group Art Unit</i>	1636
	<i>Examiner Name</i>	Nancy S. Vogel
	<i>Attorney Docket Number</i>	N1205-009
<b>Title of the Invention: Promoter and Construct for Plant Transformation</b>		

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, PO Box 1450, Alexandria VA 22313-1450 on this 27<sup>th</sup> day of September 2004. The number of the Express Mail mailing label is EV195486384US.



Robert J. Jondle  
Reg. No. 33,915

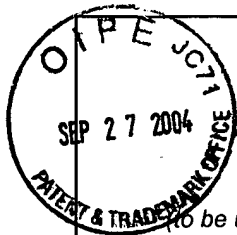
**AMENDMENT**

Mail Stop Amendment  
Commissioner of Patents  
P O Box 1450  
Alexandria VA 22313-1450

Sir:

In response to the Final Office Action mailed July 27, 2004, please find attached the **Amendments to the Claims** which begin on page 2 of this paper.

**Remarks** begin on page 3 of this paper.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Complete if Known

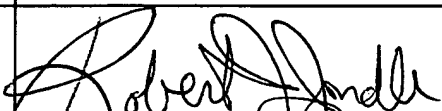
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Examiner Name	N. S. Vogel
Group Art Unit	1636

Total Number of Pages in This Submission <u>4</u>	Attorney Docket Number	1205-009
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## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers  | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Amendment/Reply                          | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final                              | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer  | 1) Certificate of Express Mail Label No. EV195486384US                                     |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s)  |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

REMARKS:

SUBMITTED BY		Complete (if applicable)			
NAME & REG. NUMBER	Robert J. Jondle, Reg No. 33,915				
SIGNATURE		DATE	September 27, 2004	DEPOSIT ACCOUNT USER ID	